

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
Athi River Mining
Plaintiff(s),

- v -

m/v MSC Chitra
Defendant(s).
-----XCase Management Plan11 CV. ⁵⁵⁷⁵ (RMB)

The following Case Management Plan is entered after consultation with the parties. This Plan is also a Rule 16 and Rule 26(f) scheduling order as required by the Federal Rules of Civil Procedure.

- (i) Joinder of additional parties by 1/15/12
- (ii) Amend the pleadings by 1/15/12
- (iii) All discovery to be **expeditiously** completed by ~~12/20/12~~ 3/28/12 RMB
- (iv) Consent to Proceed before Magistrate Judge No
- (v) Status of settlement discussions ONGOING 3/28/12 @ 9:00 with pm up ls

Sections vi through xi will be set at conference with the Court.

- (vi) Motions DISMISSAL BASED ON B/L FOREIGN FORUM SELECTION
- (vii) Oral Argument TBD See Court Rules re motions
- (viii) Joint Pre-Trial Order to be submitted by ~~12/20/12~~ RMB
- (ix) Final Pre-Trial Conference ~~1/15/13~~ RMB
- (x) Trial ~~2/15/13~~
- (xi) Other GPT referred to Magistrate: Hold motion practice for now without prejudice

SO ORDERED: New York, New York

11/22/11*RMB*

Hon. Richard M. Berman, U.S.D.J.